Mexican Cartels: Threat and Response

by

Lieutenant Colonel Nicholas P. Vavich United States Marine Corps



United States Army War College Class of 2013

DISTRIBUTION STATEMENT: A

Approved for Public Release Distribution is Unlimited

This manuscript is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The views expressed in this student academic research paper are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.

The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States
Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission
on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the
Council for Higher Education Accreditation.

	REPORT I	OCUMENTA	ATION PAGE			-онн Арргоved ОМВ No. 0704-0188		
maintaining the data suggestions for reduct Suite 1204, Arlington	needed, and completing and ing the burden, to Departme , VA 22202-4302. Responde	reviewing the collection of Defense, Washing ents should be aware to	n of information. Send cor gton Headquarters Services hat notwithstanding any o	mments regarding this burden s, Directorate for Information O	estimate of perations of shall be s	instructions, searching existing data sources, gathering and or any other aspect of this collection of information, including and Reports (0704-0188), 1215 Jefferson Davis Highway, subject to any penalty for failing to comply with a collection of		
1. REPORT DA XX-03-2013	TE (DD-MM-YYYY)	2. REPORT TYPE STRATEGY	PE RESEARCH P	ROJECT		3. DATES COVERED (From - To)		
4. TITLE AND SUBTITLE Mexican Cartels: Threat and Response						5a. CONTRACT NUMBER		
		та ттоор оттоо				5b. GRANT NUMBER		
						5c. PROGRAM ELEMENT NUMBER		
6. AUTHOR(S)	Colonel Nicholas	s P. Vavich				5d. PROJECT NUMBER		
	es Marine Corps					5e. TASK NUMBER		
						5f. WORK UNIT NUMBER		
7. PERFORMIN Dr. Paul Ro	ig organization nexton Kan	IAME(S) AND AD	DRESS(ES)			8. PERFORMING ORGANIZATION REPORT NUMBER		
Departmer	nt of Command,	Leadership, a	and Manageme	nt				
	IG/MONITORING AGE	ENCY NAME(S) A	ND ADDRESS(ES)			10. SPONSOR/MONITOR'S ACRONYM(S)		
U.S. Army War College 122 Forbes Avenue Carlisle, PA 17013				11. SPONSOR/MONITOR'S REPORT NUMBER(S)				
	ION / AVAILABILITY A: Approved for		ase. Distribution	n is Unlimited.				
13. SUPPLEME Word Coun	entary notes t: 5,313							
and Navy interests linked ecc require for have exp paper arg United St Mexico, p this pape	began an all-out to assist police and remain a na conomically, geogocused attention. anded operation ates and Mexico prevent spillover r will recommend	with law and tional security graphically, are While significations in the U.S. on drugs in the working will an are too ting violence into	order. After sixy threat to the Und culturally and cant spill-over wand their brutal Mexico has been ue to work toge the United State	c years the Mexic United States. The d threats to U.S. i violence has not y violent acts in Me en a failure and th ther in order to di	an ca e U.S. nterestet rea exico nat a r minisl the in	els in 2006, calling the Army rtels still threaten U.S. and Mexico are inextricably sts posed by the cartels ached the U.S., the cartels impact U.S. interests. This new approach is needed. The h the levels of violence within fluence of the cartels. Finally, ends.		
15. SUBJECT 1 War, Drugs	, U.S. – Mexico	Policy						
	CLASSIFICATION O		17. LIMITATION OF ABSTRACT	18. NUMBER OF PA	AGES	19a. NAME OF RESPONSIBLE PERSON		
a. REPORT UU	b. ABSTRACT UU	c. THIS PAGE UU	UU	32		19b. TELEPHONE NUMBER (Include area code)		

USAWC STRATEGY RESEARCH PROJECT

Mexican Cartels: Threat and Response

by

Lieutenant Colonel Nicholas P. Vavich United States Marine Corps

Dr. Paul Rexton Kan
Department of Command, Leadership, and Management
Project Adviser

This manuscript is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

The views expressed in this student academic research paper are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.

U.S. Army War College CARLISLE BARRACKS, PENNSYLVANIA 17013

Abstract

Title: Mexican Cartels: Threat and Response

Report Date: March 2013

Page Count: 32

Word Count: 5,313

Key Terms: War, Drugs, U.S. – Mexico Policy

Classification: Unclassified

Mexico began an all-out offensive against Mexico's transnational drug cartels in 2006, calling the Army and Navy to assist police with law and order. After six years the Mexican cartels still threaten U.S. interests and remain a national security threat to the United States. The U.S. and Mexico are inextricably linked economically, geographically, and culturally and threats to U.S. interests posed by the cartels require focused attention. While significant spill-over violence has not yet reached the U.S., the cartels have expanded operations in the U.S. and their brutal violent acts in Mexico impact U.S. interests. This paper argues that the war on drugs in Mexico has been a failure and that a new approach is needed. The United States and Mexico must continue to work together in order to diminish the levels of violence within Mexico, prevent spillover violence into the United States, and diminish the influence of the cartels. Finally, this paper will recommend changes to the current strategy to achieve those ends.

Mexican Cartels: Threat and Response

No country in the world affects daily life in the United States more than Mexico. The two countries are deeply intertwined, and what happens on one side of the border necessarily has consequences on the other side.

—Andrew Selee

In December 2006, Mexico's newly inaugurated President Felipe Calderon began an all-out offensive against Mexico's transnational drug cartels, eventually calling the Army and Navy into the streets to assist local and national police with law and order. The almost daily revelations of brutal mutilations¹, beheadings, torture, public hanging of corpses, assassination of government leaders and journalists, and wanton killing of innocent civilians by cartel members have captured the attention of U.S. security specialists and policy makers. After six years, a death toll exceeding 60,000 Mexican citizens, and violence unabated, the cartels in Mexico remain a national security threat to the United States (U.S.) given the many U.S. national interests affected, the close affinity and connection between the two nations, and the extensive proliferation and embedding of the cartel networks across the U.S. and abroad.

The United States, at the request of Mexico, has been an active partner in assisting its southern neighbor disrupt the cartels and stem the flow of illicit drugs northward into the U.S. This shared problem is driven by \$39 billion² in U.S. consumption of illegal drugs, most of which is handled at some point by Mexican cartels. Further, the violence has been partly fueled by the trafficking of arms from the U.S. into the hands of cartels for use against Mexican citizens. The consequences on both sides of the border are different, but the desire and need to stem the violence and

weaken the cartels is of paramount importance to policy-makers in both Washington and Mexico City.

Economically, the U.S. and Mexico are inextricably linked and the North American Free Trade Agreement (NAFTA) only strengthens this reality. Sharing the world's busiest and a nearly 2000 mile border crossed by roughly 300 million persons annually, Mexico is currently the third overall U.S. trade partner, is the second largest U.S. export economy (nearly twice that of China)³, its third largest supplier of crude oil⁴, and with bilateral trade equal to \$460 billion in 2011⁵. Also, the U.S. accounts for approximately eighty-five percent of all exports by Mexico representing roughly ten percent of all U.S. imports⁶. Important to the future between the two countries is the rising labor wages in China which is making Mexico more attractive to U.S. business. Lower labor wages when combined with "geographic proximity to one of the largest consumer markets in the world, economic and political stability, ability to provide just-intime sourcing and a relatively transparent regulatory framework in which to do business", may create an trade environment where "Hecho en México" could be as commonplace on U.S. consumer goods in the future as "Made in China" is today⁸. Indications suggest the two nations will be bound even closer economically and by 2018 Mexico may export more to the U.S. than any other country if current trends continue⁹.

Mexico, with a population over 100 million, and the U.S. Hispanic population expected to reach 30% by 2050¹⁰, Mexico as an ally and friend will not only be economically, but culturally important (currently, some 33 million persons, 10% of the U.S. population is of Mexican descent). While both countries are inextricably bound and mutually dependent, the relationship between the two has been "asymmetrical" where,

on the one hand, Mexico is often an afterthought for most Americans and where, on the other, "for many Mexicans the memories of a disastrous war with the United States (1846-48), in which Mexico lost half its territory and [memories of] several subsequent invasions remains fresh"¹¹. But this imbalance in the historical relationship has been gradually changing where both countries increasingly see one another as strategic partners¹² able to tackle a myriad of common issues, not least of which is in the security environment and specifically, the drug trade and the cartels supplying it.

This paper argues that by any appreciable measure the war on drugs in Mexico, as it has played out over the past six years, has been a failure and that a new approach is warranted. To this end, the United States and Mexico must continue to work in close partnership to begin to greatly diminish the levels of violence within Mexico, prevent spillover violence into the United States, while at the same time diminishing the influence of the cartels¹³. Therefore, this paper will recommend changes in the current strategy to achieve those ends.

The Situation

Significant rates of violence emanating from the estimated \$39 billion Mexican drug enterprise has not yet reached the United States. However, the increasing economic and cultural interconnectedness between the U.S. and Mexico assures that the destabilizing and debilitating effects of the violence can and will impact U.S. national security and other U.S. national interests.

The geographic connectedness and a highly traversed international border have increased economic, social, political, and security interests between the U.S. and Mexico and positively affected the populations on both sides of the border.

However, this proximity also poses perils. Mexico is not undergoing a criminal insurgency as many suggest¹⁴, thus it is unlike in character (though with similarities) to what Colombia faced against the FARC and attempting to use "Plan Colombia" as a template for Mexico simply will not work. Perhaps best described by Paul Kan, Mexico is suffering from high-intensity crime with cartel on cartel, inter-cartel, cartels versus the government, cartel versus society, and gang versus gang violence ¹⁵. It is a multidimensional conflict where the character of the violence between the Mexican cartels is largely a struggle for control of the smuggling routes into the United States and its massive illicit drug market¹⁶. The cartels and gangs certainly have many similarities to insurgent groups and terrorist organizations which make characterizing the cartels as such natural, but such descriptions miss the essence of the cartel threat as transnational violent entrepreneurial networks whose guiding motivation is profit, not ideology.

By mischaracterizing this threat, devising a strategy to effectively address the issue has been elusive. Insurgent groups, terrorist organizations, and transnational criminal organizations share a number of characteristics in which all:

- (1) are involved in illegal activities and frequently need the same supplies;
- (2) exploit excessive violence and the threat of violence; (3) commit kidnappings, assassinations, and extortion; (4) act in secrecy; (5) challenge the state and the laws (unless they are state funded); (6) have back-up leaders and foot soldiers; (7) are exceedingly adaptable, open to innovations, and are flexible; (8) threaten global security; (9) quitting either group can result in deadly consequences for former members.¹⁷

A body count nearly on par with the current conflict in Syria and daily horrific violent acts reminiscent of the Taliban and Al Qaeda in Iraq, can easily make one draw a direct parallel and label Mexican cartels as insurgents or terrorists with the requisite focused military primacy response.

However, because the cartels share many similarities with insurgent and terrorist groups does not make them akin to one another. They are in fact very violent and exceedingly well organized and adaptive transnational violent entrepreneurs all of whose "raison d'être is criminal activity for revenue generation." As Kan opines. "unlike terrorists and insurgents, the cartels in Mexico are not motivated to create a homeland to call their own, substitute their ideology for an existing one, or achieve any political goal routinely associated with armed groups that instigate social upheaval."¹⁹ Lastly, unlike insurgent or terrorist violence which is directed upward or vertically in order to separate the populace from the government, the violence is predominantly lateral, horizontal, and/or downward and directed at rival cartels; i.e. the violence is business, not politics. Furthermore, as defined by Joint Pub 3-24 an "Insurgency is an internal threat that uses subversion and violence to reach political ends and Joint Pub 3-07.2 defines terrorism as "the unlawful use of violence or threat of violence to instill fear and coerce governments or societies. Terrorism is often motivated by religious, political, or other ideological beliefs and committed in the pursuit of goals that are usually political"²¹. Once again, this does not describe Mexican drug cartels or the reasons they use violence.

Nor is Mexico a failed state as some have alluded. Some elements of Mexican power have been extended to the breaking point - local and national police, for instance

- thus the call for soldiers and marines to augment security. Further, the cartels "control" over territory is largely in sparsely-inhabited rural areas, but they also operate quite effectively, like most organized criminal groups, in densely packed urban areas right under the nose of state authority. In either milieu, when the Mexican leadership opted to retake "lost" territory, they did so with relative ease because the cartels are not battling for physical terrain to occupy and hold. Also in contrast to insurgents and terrorists whose every action and word spoken is political and an engagement against the government and established authority. Further, formal Mexican government announcements of victory or improved security in a given area would normally be contested through the spoken or written word or met with increased attacks to demonstrate to the people the government is in fact not "winning". The cartels, driven by business and profit, tend to view government proclamations of "winning" generally as mostly irrelevant if they can go about their business less molested by the authorities.

It is important to put Mexico's violence in perspective. Despite how bad the situation is, according to United Nations statistics on homicides, as a percentage of population Mexico ranks in the middle of countries in the Western Hemisphere. At 18 homicides per 100,000, Mexico is dwarfed by nations such as Honduras (82), El Salvador (66), and Venezuela (49)²². This is not to suggest that Mexico does not have a security problem, it does, and the U.S. has good reason to be concerned. But relative to its neighbors, Mexico's violence is moderate to average. To add a U.S. comparison, Ciudad Juarez, a city of just over one million inhabitants had 2,101 cartel-related murders in 2010 while the nine most populated U.S. cities had a combined overall murder rate of just 2,076 in 2011²³. It is this disparity and comparison between the U.S.

and Mexico, and not between Mexico and its southern neighbors which has garnered so much attention north of the Rio Grande.

Impacts on the United States

Americans' use of illegal drugs is the fundamental driver of the Mexican drug trade, and is thus inextricably linked to the violence across the southern border. It is also principally this American demand for drugs which is bankrolling and supporting the Mexican cartels. However, according to U.S. Customs and Border Protection

Commissioner Alan Bersin²⁴, significant violence on the scale being experienced in Mexico has not reached the United States. There is a logic to why the cartels have not engaged in significant violence inside the U.S.. Mainly, violence is bad for business.

Significant and barbaric violence, like that being perpetrated inside of Mexico would raise a level of awareness at the point of delivery and transaction in the U.S.. Post 9-11, and post-Sandy Hook American security concerns would create a very unfavorable operating environment for violent cartels. The cartels do not wish to raise the ante with U.S. Federal, State, and Local authorities whose skill, professionalism, and lesser susceptibility to corruption would make cartel members more vulnerable to arrest and incarceration.

However, along the southern border there have been some notable violent events and some U.S. cities such as Chicago do not appear to be immune from Mexican cartel violence. The National Drug Intelligence Center assessed in 2011 that Mexican cartels "dominate the supply and wholesale distribution of most illicit drugs in the United States" and are present in more than 1,000 U.S. cities²⁵. The cartels continue to flood the U.S. with heroin²⁶, cocaine, marijuana as well as methamphetamine, particularly as successes against domestic meth producers

improve²⁷. The senior DEA agent in Chicago attributes the increased gang violence in that city to Mexican cartels, particularly the Sinaloa and Los Zetas, who are able to easily blend into the city's two million Hispanic population²⁸. He further believes that the 30% increase in homicides since 2011 is a turf battle over the city as a strategic transshipment hub with Chicago's central location and myriad transportation modes²⁹.

Cross-border incursions by Mexican authorities are another effect inside the U.S.. Between 1995 and 2006 Mexican government personnel crossed into the U.S. on 226 occasions³⁰ and from 2008 to 2009 there were another 131 incursions by Mexican military and reports of 539 assaults against Border Patrol agents and National Guard troops³¹. More recently 33 Mexican troops strayed into Texas in four Humvees in broad daylight after accidentally getting on the international bridge connecting Mexico and Texas with no ability to turnaround until reaching the U.S. side³². In two other instances a Texas sheriff photographed a Mexican Navy helicopter over Brownsville³³ and a small tactical Mexican drone crashed into a backyard in El Paso, Texas raising questions as to why these were in U.S. airspace at all³⁴. Mexico claims that its forces have orders to remain at least two miles off the border and in many of these cases believes cartel members dress in fatigues, drive military style vehicles, and are armed with military grade weapons in order to protect their cargo and are those crossing into the U.S. and not Mexican forces. The U.S., for its part, admits that U.S. military and police have mistakenly crossed into Mexico in the past as well. In addition to the obvious sovereignty issue, these events suggest that during a hot pursuit situation and during heightened tensions Mexican and U.S. authorities could clash and result in "friendly

fire". In the case of the helicopter and drone, a more deadly outcome could have resulted.

Illegal weapons trafficking from the United States to Mexico is arming cartels and helping fuel the violence; officials on both sides of the border agree that illegal weapons trafficking from the United States to Mexico is a major problem. The U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has confirmed that at least 68,000 U.S.-originated firearms were confiscated by Mexican authorities during the 2007-2011 period³⁵. Further, the proximity of weapons across the border from Mexico, with strict and tough gun laws, in the U.S. with weak gun laws allows easy access to weapons and ammunition by cartels where criminal gun dealers and ordinary U.S. citizens with ties back to Mexico become accomplices to the purchase and illegal transfer of these weapons. The sheer volume of firearms originating in the U.S. is staggering and points to the continued need of U.S. authorities to do their part to continue to help stem the flow of this deadly commodity which is helping fuel the violence in Mexico.

Another impact on the U.S. has been in the financial realm where U.S. Banks have admitted to laundering money by failing to monitor and report suspected money laundering schemes. Wachovia, owned by Wells Fargo, admitted that it did not do enough in handling some \$378.4 billion in Mexican currency exchange houses which were used by cartels to launder funds. Further, Miami-based American Express and Bank of America in Oklahoma City were found to have paid too little attention in stopping Mexican cartels from depositing illicit funds. Wachovia paid \$160 million in fines, 2% of its \$12.3 billion in 2009 profits³⁶. Another financial aspect of the cartel networks operations is the movement of cash back to Mexico. U.S. authorities estimate

that drug trafficking organizations send between \$19 and \$29 billion annually to Mexico from the United States³⁷. These figures, when contrasted with the \$87.6 million recovered by U.S. authorities in a five year period³⁸, suggest law enforcement is seizing cash in sums hardly noticeable by the cartels in the aggregate and act more as a nuisance than having any significant impact on profits.

Impacts on US Interests in Mexico

With the bulk of the violence south of the U.S. border, it is not surprising that U.S. interests are affected by the internecine cartel war being waged inside Mexico. One of the obvious impacts is violence directed toward U.S. citizens, officials, and buildings. According to U.S. State Department statistics a total of 414 Americans were the victims of homicide in Mexico from Dec 2006 to Dec 2012³⁹ making it the most dangerous country for U.S. persons outside the war zones of Iraq and Afghanistan. While there is no confirmation that U.S. citizens are being directly targeted by the cartels they have certainly been victims as collateral damage against Mexican targets. In late 2011, in what appears to be a random shooting but which highlights the general sense of lawlessness in Mexico, three Americans were killed by a gunman who stormed a bus in Veracruz in which several other Mexican citizens were also victims⁴⁰.

The cartels have also been renowned for their ability to corrupt and infiltrate to very high levels of government and its institutions. In a noteworthy example, one cartel was able to place a mole inside the U.S. Embassy at its Interpol desk to extract and provide intelligence related to counter drug operations until he was finally discovered⁴¹. Bold and audacious penetrations of government institutions has created an environment of distrust amongst Mexico's security apparatus, weakening it in areas, and crippling it in others.

U.S. officials and government buildings have also been attacked as a result of the spiraling violence. The U.S. Consulate in Monterrey had its first weapons and grenade attack in 2008⁴², suffered another grenade attack in 2010⁴³, and in 2011 two Mexican police officers assigned to the Consulate were gunned down and killed⁴⁴. In 2010, three people connected to the U.S. Consulate in Juarez were murdered⁴⁵, and in 2011 an Immigration and Customs Enforcement (ICE) officer was killed at a checkpoint between Mexico City and Monterrey⁴⁶. And just last summer, two Central Intelligence Agency (CIA) operatives were shot and injured while traveling to a Mexican military base. Their assailants were Mexican national police who claim they made a mistake, however given past penetration of the cartels into high level institutions and the fact the CIA agents were traveling with a Mexican Navy officer and were in an Embassy vehicle with diplomatic plates⁴⁷ calls into question whether these officers were just incompetent or were directly targeting the vehicle and its occupants and whether there was cartel involvement.

U.S. business and commercial interests are also impacted by the cartel violence. Whirlpool announced in late 2010 that it would not go forward with building a proposed factory, citing the violence as one of the reasons for its decision⁴⁸. The U.S. Chamber of Commerce in Mexico surveyed over 500 U.S. companies operating in Mexico in which most indicated a worsening security situation and where their Mexican employees were being harassed and business operations were being impacted⁴⁹. Mexican businesses have also been affected. As many as 160,000 businesses may have left Mexico in 2011⁵⁰, while an internal business displacement from the violent northern region to the quieter interior is also occurring⁵¹. The bloodshed is also impacting tourism and Mexico

lost nearly \$9 billion over a three year period from 2009-2011⁵². The loss and movement of jobs in areas most impacted by the cartels creates conditions in which unemployment makes more recruits available to the cartels, worsening the security situation.

The Response

Neither Washington nor Mexico City is open to legalization as a strategic option to alter the approach in the "war on drugs" as a way to possibly subvert the cartels economically. Therefore, the changes proposed below include: focusing first on the most violent cartel to dismantle; instituting full-spectrum high-intensity policing to counter high-intensity crime; reforming the criminal justice system to compliment and support high-intensity policing and civil society and invigorating counterintelligence.

Zeta First Approach

One of the primary reasons for the failure to reduce violence has been the wide spectrum strategy the Calderon administration used by applying police and military resources broadly geographically across Mexico and its multiple cartels with no single focused effort to "pacify" any city, cartel, or region. This "too little butter over too much bread" approach prevented enough resources being brought to bear against key cartels and locations.

Newly elected President Enrique Peña Nieto is focusing less on the "drug war" and focusing on lowering the violence to an acceptable level. However, his administration should look to focus on achieving this goal of lowering the violence by concentrating law enforcement and military resources on the most violent cartels. Los Zetas, as the greatest threat to the State, should be the initial focus of the Mexican Government's attention for a variety of reasons. First, Los Zetas have the most

capability to contest the government due to their military training and background, demonstrated use of infantry tactics, and also their understanding of the thoughts, planning, and processes of government forces. Second, openly acknowledging the destruction of Los Zetas because of their intensely violent actions may serve as a warning to other cartels to consider how they use violence in the future with an eye to staying out of the governments sights. Third, Los Zetas' territorial voids would likely be filled by other cartels, but no longer with the need to feud over market space. Fourth, Los Zetas have the greatest potential to transform into an insurgent group due to its former Special Forces background. Fifth, while still acting as hired guns for various other groups at times, Los Zetas' members could be more easily isolated and other cartels may be willing to work with government forces to provide information leading to arrests and destruction of the cartel. Finally, with a new strategy of minimizing the violence, the Nieto administration would have ample reason to "pile-on" Los Zetas to take down the most egregious offender of violent acts.

In order to prevent a rival cartel from completely filling the vacuum left by Los Zetas, the Mexican government should develop a comprehensive full-spectrum high-intensity policing strategy and capability to flood the new security environment to prevent a complete takeover of the area by just another cartel. President Nieto could then pivot and turn his attention to the next most violent cartel.

Full-Spectrum High-Intensity Policing

Police reform should be at the heart of any new strategy, but it must come in the form of a comprehensive and full-spectrum policing/law enforcement reform from national to local levels by creating an interlocking and layered approach to security.

After nearly six years of Mexican soldiers and marines in the streets, not surprisingly a

military primacy strategy has failed to lower the violence and curtail the freedom of action on the part of the cartels. The military has a key role to play in combating the cartels but the military should play a supporting role to law enforcement in lowering cartel violence.

What Mexico needs is full-spectrum high-intensity policing in order to help Mexico City "create legitimate and effective government" which "can deliver essential services, including the rule of law"⁵³, throughout the country focused on providing security to the citizenry. President Nieto's decision to create a new national police force⁵⁴ of up to 10,000 officers along the lines of France's National Gendarmerie, with military training but with police duties could be a big step in the right direction. His plan to deploy this *Gendarmería Nacional* to the most violent regions will provide a sorely needed capability gap between local and state police and deployed military forces, none of which are ideally suited to handle and operate in this complex multidimensional conflict. However, this plan is going to take years to fully implement, will likely have interoperability issues with local, state, and national police as well as other federal entities, and there are also likely to be police "rivalries" towards this new elite unit which will diminish its effectiveness and the effectiveness of the entire security team.

A paramilitary force mirroring the French Gendarmerie or Italian Carabinieri can only be part of the overall solution and is no single panacea for the security situation. Mexico must rebuild its local and state police forces while simultaneously it develops a new *Gendarmería Nacional* so that all can effectively operate together. Local police as part of this initiative will need to be the key contribution to this effort. However, this "core policing" as "an enhancer both to legitimacy and law enforcement effectiveness" 55

will generally be defensive in nature and focused on protecting the population, while leaving the offensive actions in the high-intensity crime areas to the paramilitary and military forces.

Police corruption must also be aggressively addressed. Particularly at the local and state levels, police corruption has caused a loss of support by the population and this loss of legitimacy in the eyes of both the people and the national leadership resulted in the military being called into action. "In most of the world, the police are hard to contact, unhelpful in response and predatory... They are not the public's police..." – this accurately describes the vast majority of Mexico's local police. However, they do not bear all the blame. As the cartels expanded areas of insecurity through excessive crime and violence, this exposed position and vulnerability made the local police susceptible to corruption by cash-flush cartels – accept the money or else. Local police should get back on the beat, supported by competent and capable state police with National Police forces and military units focused on handling the most violent areas and cartels. Local and state police should conduct "core policing" with a focus on protecting and serving the local population and becoming more responsive to their needs with an emphasis on "being available, helpful, and fair and respectful" which would go a long way towards renewing public trust and confidence.

Despite a desire to get the troops back in the barracks, the Mexican military will need to remain in place for the foreseeable future, until the *Gendarmería Nacional* is fully operational, as the primary means to offensively engage the cartels. As security increases and violence abates in areas, newly trained local police can fill the improved security environment and hopefully rapidly gain the support of the local populace

through their demonstrated professionalism with a focus on the needs of the populace.

As the people begin to see a more robust, competent and capable local police they will help improve the overall public safety by cooperating with police. It is these local police who are the key to the future of Mexican security.

Criminal Justice Reform

In order for full-spectrum high-intensity policing to work and have the intended positive effect, Mexico must rapidly and simultaneously reform its criminal justice system and firmly establish the two other pillars of the system: effective courts and prisons. With an impunity rate of approximately 98.5 percent, only one conviction out of every 100 crimes results in a sentencing⁵⁷, creating an environment of lawlessness which the cartels are exploiting. In 2010, former President Calderon boldly fired nearly 3,200 National Police officers, almost ten percent of the force, for corruption⁵⁸. However, cleaning house in this manner will have little overall effect without reform within the judicial and penal systems to ensure the rule of law is reinforced. Many of the human rights abuses police and military members have been accused are a direct result of the failure of the courts to convict and some individuals have felt they must take the law into their own hands. Mexican police officers at all levels see virtually all the fruits of their labors to investigate and arrest cartels members wasted as the criminals are back on the street in a short period of time.

In situations where the development of courts and prisons is insufficient or nonexistent and secure facilities in which to hold and try criminals are lacking, police face the invidious choice of punishing the miscreants themselves or letting them go. Either choice will demoralize and corrupt even the best-trained police force, severely undermine public confidence, and hobble efforts to establish democratic governance⁵⁹.

In a milieu such as exists where criminals, and even murderers, are released and largely go unpunished after police have risked their lives, not even a new *Gendarmería Nacional* will make much of an impact, even if supremely led and trained. Without the support of a more responsive court system which can actually convict and imprison Mexico's worst offenders, the new *Gendarmería* will be severely hobbled.

Counterintelligence

Central to Mexico's policing problem is the penetration of high level institutions and law enforcement by the cartels. Preventing infiltration into a new elite *Gendarmería Nacional* paramilitary force by the cartels will be paramount or the organization will be rendered ineffective even before it is employed. As Ken Casas-Zamora notes "Mexico's problem is not territorial control, but the penetration of public institutions -- particularly law enforcement institutions-- by organized crime. This is a problem that cannot be solved by any military contingent, no matter how large, committed, or effective. It requires instead nothing short of rebuilding law enforcement institutions and intelligence agencies "60". Developing an aggressive and effective counterintelligence capability backed by a robust legal system is sorely needed in Mexico.

This enduring counterintelligence emphasis would go a long way to ensuring law enforcement and other institutions are screened and routinely assessed and purged of cartel penetration, corruption, and control. Over the long run, not only will public confidence return, but so would trust between police, military, and intelligence organizations who have deep distrust in one another due to corruption and infiltration. This distrust manifests itself in poor communications, a lack of willingness to coordinate mutual support until the last minute, and generally an unwillingness to share information and intelligence which would be beneficial towards unity of effort. The Army (SEDENA)

and Navy (SEMAR), since being called into the streets rarely operate together.

SEMAR, which is proud to boast that it has not yet had an officer implicated with the cartels, is highly suspicious of SEDENA where several high ranking officers have been accused of collusion with the various cartels and from whose Special Forces ranks the Los Zetas were formed. Through an aggressive and effective vetting process at all levels utilizing background checks, routine use of polygraphs, and an active counterintelligence investigation unit Mexico would have an effective shield against the cartels and develop trust amongst various entities critical to fighting the cartels and lessening the violence.

Conclusion

In order to begin reducing violence to an acceptable level, a Zeta-first strategy will be the quickest way to achieve this end by applying scarce resources on the greatest threat to the state and focusing on a more narrow problem set. In order to accomplish this, Mexico will need to develop a comprehensive full-spectrum high-intensity policing capability integrating complementary capabilities from the national to the local level to take back the streets from the cartels. Directly supporting this, Mexico must concurrently reform its criminal justice system to ensure that violent offenders, when tried and convicted, are put behind bars and no longer menace Mexican society. Finally, an aggressive counterintelligence effort aimed at identifying and impeding penetration of key institutions by the cartels will improve operational success and regain the initiative in the Mexican government's favor. These recommendations are not exhaustive. Other elements of a more comprehensive strategy would include: quickly shifting the military to a supporting role as a direct action force against the cartels; allow intelligence to drive operations; fighting transnational violent entrepreneur networks with

another network; targeting cartel finances; focusing the U.S. on the demand side of the equation; and strengthening U.S. laws to curtail the flow of weapons trafficking. In the six years of Mexico's drug violence amidst the thousands of lives lost and disrupted, it is time to renew the search for innovative strategies which reduce the threat to U.S. interests and national security posed by the cartels.

Endnotes

- ¹ William Booth, "Mexico's Two Major Crime Cartels Now at War", *Washington Post*, May 24, 2012, http://articles.washingtonpost.com/2012-05-24/world/35457724_1_gulf-cartel-sinaloa-cartel-zetas (accessed December 10, 2012).
- ² Charles Jacoby Jr., "Statement Before the Senate Armed Forces Committee" *Congressional Record*, 13 March 2012, online http://www.armed-services.senate.gov/statemnt/2012/03%20March/Jacoby%2003-13-12.pdf, 18. (accessed January 1, 2013).
- ³ Office of the United States Trade Representative, *Mexico*, http://www.ustr.gov/countries-regions/americas/mexico (accessed January 1, 2013).
- ⁴ U.S. Energy Information Administration, *Mexico*, http://www.eia.gov/dnav/pet/pet_move_impcus_ a2_nus_ep00_im0_mbbl_m.htm (accessed January 1, 2013).
- ⁵ U.S. Department of Commerce, *Trade in Goods With Mexico*, http://www.census.gov/foreign-trade/balance/c2010.html (accessed January 1, 2013).
- ⁶ Andrew Selee, "More Than Neighbors: An Overview of Mexico and U.S. Relations," *Woodrow Wilson International Center for Scholars: Mexico Institute*, http://www.statealliancepartnership.org/Resources/Mexico.More%20Than%20Neighbors3.pdf (accessed January 1, 2013),1.
- ⁷ Andrés Rozental, "Are Mexican Factories Gaining an Upper Hand Against China's?", *The Brookings Institution*, September 18, 2012, http://www.brookings.edu/research/opinions/2012/09/18-mexico-china-rozental (accessed January 26, 2013).
- ⁸ "The Rise of Mexico", *The Economist*, November 24, 2012, http://www.economist.com/news/leaders/21567081-america-needs-look-again-its-increasingly-important-neighbour-rise-mexico (accessed 26 Jan 2013).

⁹ Ibid.

¹⁰ Jeffrey Passel and D'Vera Cohn, *U.S. Population Projections: 2005-2050, Pew Research Hispanic Center*, http://www.pewhispanic.org/2008/02/11/us-population-projections-2005-2050/ (accessed January 1, 2013).

- ¹⁴ Ioan Grillo, *El Narco: Inside Mexico's Criminal Insurgency*, (New York, NY: Bloomsbury Press, 2011), 116.
- ¹⁵ Paul R. Kan, "Mexico: A Mosaic Cartel War", *Small Wars Journal*, June 12, 2011, http://smallwarsjournal.com/jrnl/art/mexico-a-mosaic-cartel-war (accessed January 15, 2013).
- ¹⁶ Scott Stewart and Alex Posey, "*Mexico: The War with the Cartels in 2009*", *Stratfor Global Intelligence*, November 9, 2009, http://www.stratfor.com/weekly/20091209_mexico_war_cartels_2009 (accessed January 1, 2013).
- ¹⁷ Mitchell P. Roth and Murat Sever, "The Kurdish Workers Party (PKK) as Criminal Syndicate: Funding Terrorism Through Organized Crime, A Case Study," *Studies in Conflict and Terrorism* 30, no. 10 (2007): 903.
- ¹⁸ Thomas M. Sanderson, "Transnational Terror and Organized Crime: Blurring the Lines," *SAIS Review* 24(1), (2004): 50.
 - ¹⁹ Paul R. Kan, "What We're Getting Wrong About Mexico", *Parameters*, Summer 2011: 38.
- ²⁰ U.S. Joint Chiefs of Staff, *Counterinsurgency Operations*, Joint Publication 3-24 (Washington D.C.: U.S. Joint Chiefs of Staff, October 05, 2009), I-1.
- ²¹ U.S. Joint Chiefs of Staff, *Antiterrorism*, Joint Publication 3-07.2 (Washington D.C.: U.S. Joint Chiefs of Staff, November 24, 2010), I-1.
- ²² United Nations, "Global Study on Homicide, 2011", http://www.unodc.org/documents/data-and-analysis/statistics/Homicide/Globa_study_on_homicide_2011_web.pdf (accessed January 16, 2013), 23.
- ²³ Cory Molzahn, Viridiana Rios, and David Shirk, "Drug Violence in Mexico: Data and Analysis Through 2011", *Trans-Border Institute, University of San Diego* (March 2012), 14.
- ²⁴ Ramon Bracamontes, "CBP Chief Assesses the Border: Alan Bersin, in El Paso, Assures Safety, Backs Mexico's Fight", *El Paso Times*, January 6, 2011, http://www.elpasotimes.com/news/ci_17021562 (accessed December 20, 2012)

¹¹ Selee, introduction.

¹² Jacoby, 19.

¹³ For clarity sake, throughout this paper the term "cartel" will be used rather than "Violent Entrepreneurs", "Dark Networks", "Drug Trafficking Organizations" or "Transnational Criminal Organizations"; the latter being preferred in U.S. Government parlance. A more descriptive title would be "Transnational Violent Entrepreneurial Networks" to describe their international reach, the illegal use of force as a means to profit making, and their organizational construct. The statistics used in this paper will be those provided as official statistics by the Mexican Government. The official Mexican crime statistics contrast with several sources, such as Reforma, whose statistics tend to be lower than official sources. Newer sources claim Mexican government statistics greatly underestimate the actual murder rate related to drug violence by as much as half.

- ²⁵ U.S. Department of Justice, "National Drug Threat Assessment: 2011", *National Drug Intelligence Center*, August 2011, http://www.justice.gov/ndic/pubs44/44849/44849p.pdf, 8. (accessed December 20, 2012).
- ²⁶ "JACO: Mexican Drug Cartels Bringing Heroin to St Louis", *Fox News*, June 26, 2011, http://midconorth.fox2now.com/news/news/jaco-mexican-drug-cartels-bringing-heroin-st-louis/59592 (accessed December 16, 2012)
- ²⁷ Jim Salter, "Mexico Drug Cartels Flood Cheap Meth into U.S.", *Huffington Post*, November 10, 2012, http://www.huffingtonpost.com/2012/10/11/mexico-drug-cartelsmeth n 1957378.html (accessed December 17, 2012)
- ²⁸ Michael Kelley, "DEA: Mexican Cartels in Chicago are 'Hiding in Plain Sight' As They Run the City's Drug Game", *Business Insider*, September 28, 2012, http://www.businessinsider.com/mexican-cartels-in-chicago-2012-9 (accessed December 15, 2012).
- ²⁹ Armen Keteyian, "Mexican Drug Cartels Fight Turf Battles in Chicago", *CBS News*, August 23, 2012, http://www.cbsnews.com/8301-18563_162-57499523/mexican-drug-cartels-fight-turf-battles-in-chicago/ (accessed 15 Dec 2012).
- ³⁰ "Mexican Military Incursion in Texas", *Judicial Watch*, March 12, 2010, http://www.judicialwatch.org/blog/2010/03/mexican-military-incursion-texas/ (accessed January 22, 2013).
 - ³¹ Kan, Cartels at War, 74.
- ³² Mariano Castillo, "Mexican Military Vehicles Crossed into U.S., Officials Say", *CNN*, July 27, 2011, http://www.cnn.com/2011/WORLD/americas/07/27/mexico.us.incursion/index.html (accessed December 15, 2012).
- ³³ Lynn Brezosky, and Gary Martin, "Mexican Military Copter Over U.S. Neighborhood", *My San Antonio*, March 12, 2010, http://www.mysanantonio.com/news/local_news/article/Mexican-military-copter-over-U-S-neighborhood-792986.php (accessed January 22, 2013).
- ³⁴ Diana W. Valdez and Daniel Borunda, "Mexican Drone Crashes in Backyard of El Paso Home", *El Paso Times*, December 17 2010, http://www.elpasotimes.com/ci_16875462 (accessed December 14, 2012).
- ³⁵ Bureau of Alcohol, Tobacco, Firearms, and Explosives, *ATF Releases Government of Mexico Firearms Trace Data*, http://www.atf.gov/press/ releases/2012/04/042612-atf-atf-releases-government-of-mexico-firearms-trace-data.html (accessed January 18, 2013).
- ³⁶ Michael Smith, "Banks Financing Mexican Gangs Admitted in Wells Fargo Deal", *Bloomberg News*, June 29, 2010, http://www.bloomberg.com/news/2010-06-29/banks-financing-mexico-s-drug-cartels-admitted-in-wells-fargo-s-u-s-deal.html (accessed December 15, 2012).
- ³⁷ Celina B. Realuyo, "Its All About the Money: Advancing Anti-Money Laundering Efforts in the U.S. and Mexico to Combat Transnational Organized Crime", *Woodrow Wilson International Institute for Scholars, Mexico Institute*, May 2012, 7.

- ³⁸ Brady McCombs, "US Seizing Drug Money but Cartels have Plenty More", *Arizona Daily Star*, March 7, 2010, http://azstarnet.com/news/local/govt-and-politics/us-seizing-drug-money-but-cartels-have-plenty-more/article_02b2696c-2401-58fc-9f59-3286674b8a6d.html (accessed December 13, 2012)
- ³⁹ United States Department of State, *Death of U.S. Citizens Abroad by Non-Natural Causes*, http://travel.state.gov/law/family_issues/death/death_600.html?country=0 (accessed January 31, 2013).
- ⁴⁰ "Three U.S. citizens killed in Mexico attacks", *Reuters*, December 24, 2011, http://www.reuters.com/article/ 2011/12/24/us-mexico-dead-idUSTRE7BN03C20111224 (accessed January 31, 2013).
- ⁴¹ Jacqui Goddard, "Interpol Agent Passed Information to Beltran-Leyva Cartel in Mexico", *Times of London*, October 28, 2008, http://www.thetimes.co.uk/tto/news/world/americas/article1998333.ece (accessed February 1, 2013).
- ⁴² "Gunmen Kill 2 Police Officers Assigned to U.S. Consulate in Monterrey", *Borderland Beat*, July 23, 2011, http://www.borderlandbeat.com/2011/07/gunmen-kill-2-police-officers-assigned.html (accessed January 31, 2013).
- ⁴³ Nick Valencia, "Grenades explode near U.S. consulate in Mexico", *CNN*, October 2, 2010, http://articles.cnn.com/2010-10-02/world/mexico.us.consulate.blasts_1_consulate-mexican-officials-grenades?_s=PM:WORLD (accessed January 31, 2013).
- ⁴⁴ "Gunmen kill 2 Police Officers assigned to U.S. Consulate in Monterrey", *Borderland Beat*, (accessed January 31, 2013).
- ⁴⁵ Mary Beth Sheridan, "Three with links to U.S. Consulate in Juarez are slain", *Washington Post*, March 15, 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/03/14/AR2010031401148.html (accessed January 31, 2013).
- ⁴⁶ "1 U.S. Immigration Agent Killed, 1 Injured in Mexico" *Fox News*, February 16, 2011, http://www.foxnews.com/us/2011/02/15/immigration-agent-killed-injured-mexico/#ixzz2JchsaDNY (accessed January 31, 2013).
- ⁴⁷ Randall C. Archibald, "Mexico Detains 12 Officers in Attack on U.S. Embassy Vehicle", *NY Times*, August 27, 2012, http://www.nytimes.com/2012/08/28/world/americas/mexico-detains-officers-in-attack-on-us-embassy-vehicle.html?_r=0 (accessed January 31, 2013).
- ⁴⁸ Nicholas Casey and James Hagerty, "Companies Shun Violent Mexico", *Wall Street Journal*, December 17, 2010, http://online.wsj.com/article/ SB10001424052748703395204576023811983098994.html (accessed February 18, 2013)
- ⁴⁹ "The Impact of Security in Mexico on the Private Sector", *American Chamber of Commerce*, *Mexico*; 28 Mar 2011, 1.
- ⁵⁰ "160,000 Businesses Fled Mexico in 2011 Due to Violence", *Latino Fox News*, April 5, 2012, http://latino.foxnews.com/ latino/news/2012/04/05/coparmex-160000-businesses-left-mexico-in-2011-due-to-violence/ (accessed February 25, 2013)

- ⁵¹ Ruth Samuelson, "Violence Drives Exodus from Monterrey, Once Mexico's Business Capital", *Latino Fox News*, December 8, 2011, http://latino.foxnews.com/latino/lifestyle/2011/12/08/violence-drives-exodus-from-monterrey-once-mexicos-business-capital/#ixzz2LyLd5QsY(accessed February 25, 2013).
- ⁵² Tracy Wilkinson, "Mexico Scrambles as Violence Threatens Tourism Zones", *The Los Angeles Times*, February 9, 2013, http://www.latimes.com/news/nationworld/world/la-fg-mexico-tourism-violence-20130210,0,1625782.story (accessed February 25, 2013)
- ⁵³ David Bayley and Robert Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (Boulder, CO: Lynne Rienner Publishers, 2010), 2.
- ⁵⁴ Eric Martin & Nacha Cattan, "Pena Nieto to Create Federal Police Force for Violent States", Bloomberg News, December 17, 2012, http://www.bloomberg.com/news/2012-12-17/pena-nieto-to-create-federal-police-force-for-violent-states-1-.html (accessed January 25, 2013).
- ⁵⁵ Bayley and Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime*, 3.
 - ⁵⁶ Ibid, 84.
- ⁵⁷ Kevin Casas-Zamora, "Mexico's Forever War", *Foreign Policy*, December 22, 2010, http://www.foreignpolicy.com/articles/2010/12/22/mexico_s_forever_war (accessed January 27, 2013), 2.
- ⁵⁸ Ken Ellingwood, "Mexico fires 3,200 federal police," *Los Angeles Times*, August 31, 2010, http://articles.latimes.com/2010/aug/31/world/la-fg-mexico-police-fired-20100831 (accessed January 27, 2013).
- ⁵⁹ Bayley and Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime*, 130.
 - 60 Casas-Zamora, "Mexico's Forever War", 2.